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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Tord Gustav Gustavsson

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ALSTON & BIRD LLP

BANK OF AMERICA PLAZA

101 SOUTH TRYON STREET, SUITE 4000

CHARLOTTE, NC 28280-4000

EXAMINER

HALPERN, MARK

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

06/19/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/575,982	Applicant(s) GUSTAVSSON, TORD GUSTAV	
	Examiner Mark Halpern	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-60 is/are pending in the application.
- 4a) Of the above claim(s) 59 and 60 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 40-46 is/are allowed.
- 6) ☒ Claim(s) 34,36-39,47,50-54,56 and 58 is/are rejected.
- 7) ☒ Claim(s) 35,48,49,55 and 57 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/17/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1) Applicant's election with traverse of invention I, drawn on claims 34-58, in the reply filed on 5/1/2009, is acknowledged. The traversal is on the ground(s) that the independent claims have features in common. This is not found persuasive. The inventions I - III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Claim 34 is either obvious over or anticipated by Steiner (DE 3030233). Accordingly, the special feature linking the inventions, a support body having two side surfaces facing each other, is arranged to be moved in an opposite direction and is elastically deformable, does not provide a contribution over the prior art, and no single general inventive concept exists. Therefore, the restriction is appropriate.

The requirement is still deemed proper and is therefore made FINAL.

Claims 59-60 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 1791

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2) Claims 34, 36, 38, 47, 50-51, 53-54, 58 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Steiner (DE 3030233, machine translation is used in the Office Action, translated copy provided to the Applicant).

Claims 34, 36, 47, 50, 53-54, 58: Steiner discloses a paper web 9 traveling on felt 10 in direction of arrow 6 through an extended nip S formed by lower rubber band 7 and upper roller 5. Within the lower band 7 is slide shoe 8 which presses on the web and the counter roller 5 as the web becomes dewatered. The slide shoe 8 is made of rubber, which is an elastic material and is joined to form a unit with yoke 14 which is also made of rubber or plastic, also an elastic material. The slide shoe 8 together with the yoke 14 rests on the claimed support body. As shown in Figure`1, the support body has a structure that includes two side surfaces, a contact surface and a bottom surface. It is arranged to be moved toward the opposed surface of the upper roller 5 by means of a loading system (entire document and Figure 1). Steiner discloses the

Art Unit: 1791

invention, or in the least if there are any structural differences such differences are small and would have been obvious over the cited prior art.

Claims 38, 51: a nip is disclosed. The operation at the claimed load range is a method limitation that does not differentiate structurally over cited prior art.

3) Claims 37, 39, 52, are rejected under 35 U.S.C. 103(a) as being unpatentable over Steiner.

Claim 37: Steiner is applied as above for claim 36, the support body is disclosed to be made of a plastic material, however, not of a particular plastic material. It would have been obvious to one skilled in the art at the time the invention was made, that the plastic be polyurethane, since polyurethane would satisfy the structural requirements of the support body.

Claims 39, 52: Steiner is silent on the support body dimensions, however, it would have been obvious to one skilled in the art at the time the invention was made that the body be of any dimensions including the claimed dimensions required to obtain desired product results.

4) Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steiner in view of Liang (5,980,693). Steiner is applied as above for claim 54, Steiner fails to disclose that the opposed surface of the press surface is heated. Heating of press surfaces is well known in the art, as for example disclosed by Liang. It would have been obvious to skilled in the art at the time the invention was made to combine the teachings of Steiner and Liang, because such a combination would improve the dewatering of the passing web in the design of Steiner.

Allowable Subject Matter

- 5) Claims 40-46 are allowed.
- 6) Claims 35, 48-49, 55, 57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for indicating allowable subject matter is that the cited prior art does not disclose: a support body wherein the two layers of elastic material have different elasticities (claims 35, 49, 57); a support device for an apparatus having a support body claimed and a holding device of structure claimed (claim 40); an apparatus for treatment of a fiber web that includes a support body claimed and a holding device of structure claimed (claim 48); a press for treatment of a fiber web claimed that includes a holding device of structure claimed (claim 55).

Conclusion

- 7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone no. is 571-272-1190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1791

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

/Mark Halpern/
Primary Examiner
Art Unit 1791